

***This document is a draft Scope of Services for a future solicitation and is subject to change without notice.***

***This is not an advertisement.***

Miami-Dade County, Florida

RFQ No. 00000

## **SCOPE OF SERVICES**

### **2.1 Background**

Miami-Dade County, hereinafter referred to as the County, on behalf of the Miami-Dade County Value Adjustment Board (VAB) is soliciting proposals for the professional services of experienced and qualified law firms to provide legal counsel to the VAB. Pursuant to Florida Statute 194.015 titled Value Adjustment Board, the board shall appoint private counsel who has practiced law for over five (5) years and who shall receive such compensation as may be established by the VAB. The private counsel may not represent the Property Appraiser, the Tax Collector, any taxing authority, or any property owner in any administrative or judicial review of property taxes.

### **2.2 Qualification Requirements**

#### **A. Minimum Qualifications**

The minimum qualification requirements for this Solicitation are that the selected Proposer's Lead Attorney and Back-up Attorney who will serve the VAB shall:

1. Be a member in good standing and maintain that membership with the Florida Bar and the United States District Court for the Southern District of Florida.
2. Have a minimum of ten (10) years' experience in practicing law.

Note: The above requirements are also a continuing condition of award, as the selected Proposer's Lead Attorney and Back-up Attorney must maintain these minimum qualifications throughout the duration of the contract, including any option periods and extensions thereof.

#### **B. Preferred Qualifications**

The selected Proposer's Lead Attorney should:

1. Be familiar with the Florida Statutes and Department of Revenue (DOR) rules that govern the VAB;
2. Have experience in VAB matters through representation or advisement of a VAB, VAB special magistrate experience, VAB tax representation, or with VAB hearings; and
3. Have experience with advising elected boards.

### **2.3 Services to be Provided**

The VAB's Legal Counsel is expected to solely dedicate approximately four (4) to six (6) hours per day to the VAB to perform the required services listed herein. The selected Proposer shall provide a Lead Attorney to serve as the VAB's Legal Counsel and a Back-up Attorney to serve the VAB in the event that the Lead Attorney is not available. Selected Proposer's Lead Attorney and/or Back-up Attorney shall:

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- a) Provide guidance to and monitor the performance of VAB Special Magistrates.
- b) Conduct reviews of case files at the Clerk's office. On-site office space will be provided to the selected Proposer's Lead Attorney or Back-up Attorney. How case files are reviewed will be determined by the Clerk.
- c) Represent the VAB for all matters relating to the DOR including, but not limited to, the development of VAB rules, regulations and forms. The selected Proposer's Lead Attorney or Back-up Attorney shall participate in creating, updating and revising VAB forms.
- d) Represent the VAB before a legislative body with respect to proposed and pending legislation.
- e) Represent the VAB in all courts and other governmental tribunals as necessary.
- f) Consult with the VAB's staff in resolving unusual and extraordinary administrative problems as well as, individual taxpayer inquiries.
- g) Review and determine whether a "good case" exists to allow the late filing of taxpayer petitions or for the rescheduling of cases.
- h) Consult and coordinate with the office of the Florida Attorney General regarding VAB procedures, legislation, regulations, valuation and exemption issues.
- i) Provide legal opinions with respect to issues pending before the VAB and staff.

#### **2.4 Role of the Legal Counsel to the VAB**

Pursuant to Chapter 12D-9, Section 12D-9.009 of the DOR Rules, the selected Proposer's Lead Attorney and/or Back-up Attorney shall:

- a) Advise the VAB on all aspects of the VAB review process to ensure that all actions taken by the VAB and its appointees meet the requirements of the law.
- b) Advise the VAB in a manner that will promote and maintain a high level of public trust and confidence in the administrative review process.
- c) Ensure that the proceedings are fair and consistent with the law, as the VAB Legal Counsel is not an advocate for either party in a VAB proceeding.
- d) Advise the VAB of the actions necessary for compliance with the law.
- e) Advise the VAB regarding:

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- 1) Composition and quorum requirements;
  - 2) Statutory training and qualification requirements for special magistrates and members of the VAB;
  - 3) Legal requirements for recommended decisions and final decisions;
  - 4) Public meeting and open government laws; and
  - 5) Any other duties, responsibilities, actions or requirements of the VAB consistent with the laws of this state.
- f) Review and respond to written complaints alleging noncompliance with the law of the VAB, special magistrates, board clerk, and the parties. The VAB Legal Counsel shall send a copy of the complaint along with the response to the DOR. This does not refer to routine requests for reconsideration, requests for rescheduling, and pleadings and argument in petitions.
- g) Send, upon appointment, selected Proposer's Lead Attorney contact information, which shall include his or her name, mailing address, telephone number, fax number, and e-mail address, to the DOR by mail, fax or e-mail to:

Department of Revenue  
Property Tax Oversight Program  
Att: Director  
P.O. Box 3000  
Tallahassee, FL 32315-3000  
FAX: (850) 617-6112  
Email: [VAB@dor.state.fl.us](mailto:VAB@dor.state.fl.us)